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FISCAL IMPACT REPORT

SPONSOR Griego **DATE TYPED** 02-05-04 **HB** _____

SHORT TITLE Disabled Parking Space Violation Fines **SB** 370

ANALYST Reynolds-Forte

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY04	FY05	FY04	FY05		
	\$5.0			Non-Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

REVENUE

Estimated Revenue		Subsequent Years Impact	Recurring or Non-Rec	Fund Affected
FY04	FY05			
	Minimal		Recurring	General Fund

(Parenthesis () Indicate Revenue Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts

SUMMARY

Synopsis of Bill

Senate Bill 370 creates a new offense related to inappropriate use of a disabled parking placard or plate. The holder of a disabled parking privilege is prohibited from lending the special disabled placard or plate for use when the holder is not in the vehicle. For the first offense, the Motor Vehicle Division of the Taxation and Revenue Department shall suspend the holder's privilege to use the placard or plate for six months. Upon a second offense, the department shall

permanently revoke the holder's privilege.

The bill makes failure to surrender the placard to a law enforcement officer or the department upon demand a petty misdemeanor. The fine range increases when a person provides false information to acquire a disabled placard or uses the placard to park in a disabled space when the holder is not in the vehicle. The new fine range is \$250 to \$450. The existing fine range is \$100 to \$300.

The bill appropriates \$5 thousand to the department to publicize this Act. Unused funds revert to the general fund at the end of FY 05.

FISCAL IMPLICATIONS

Senate Bill 370 appropriates \$5 thousand to the Taxation and Revenue Department in FY 05 to conduct a statewide advertising campaign to explain the provisions of this new law. Any unencumbered or unexpended balances at year end will revert to the general fund.

Senate Bill 370 increases the fine for unauthorized use of the special placard or plate which will increase revenues from these fines; there have only been five convictions under this statute since 2001, so the impact should be minimal.

ADMINISTRATIVE IMPLICATIONS

Taxation and Revenue Department

The Taxation and Revenue Department is required to conduct a state-wide campaign to explain the provisions of this new law to the public; they are provided \$5 thousand to fund the campaign.

Courts

The Administrative Office of the Courts believes there will be a minimal administrative cost for statewide update, distribution, and documentation of statutory changes. Any additional fiscal impact on the judiciary would be proportional to the enforcement of this law and commenced prosecutions. New laws, amendments to existing laws, and new hearings have the potential to increase caseloads in the courts, thus requiring additional resources to handle the increase.

RLG/dm:lg